

Ex. A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
(Fort Wayne Division)

INTERNATIONAL TRUCK AND ENGINE)
CORPORATION and)
INTERNATIONAL TRUCK INTELLECTUAL)
PROPERTY CO., LLC.)

Plaintiffs,)

Case No. 1:03cv265

v.)

CATERPILLAR INC.,)

Defendant.)

STIPULATION AND AGREED ORDER REGARDING STAY OF LITIGATION
PENDING REEXAMINATION OF THE PATENT-IN-SUIT

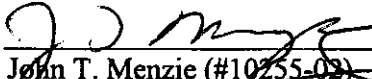
The parties agree as follows:

1. Plaintiffs will comply with the Court's order of November 22, 2004, regarding production of documents and responding to interrogatories.
2. Plaintiffs will certify compliance with the Court's order of November 22, 2004, and Caterpillar will be allowed to confirm such compliance by deposing a witness knowledgeable about Plaintiffs' records on service manuals and electrical system schematics for microprocessor-based controllers in the applicable time period.
3. During and after Plaintiffs' compliance with the Court's Order of November 22, 2004, and any deposition taken pursuant to Paragraph 2, the parties agree to stay the litigation and to forego any further discovery, including expert discovery and all depositions referred to in the Court's Order of November 29, 2004, until such time as the reexamination of the Patent-in-Suit by the U.S. Patent and Trademark Office, including any appeals to the Board of Patent Appeals and Interferences and the Court of Appeals of the Federal Circuit, is complete.

EXHIBIT

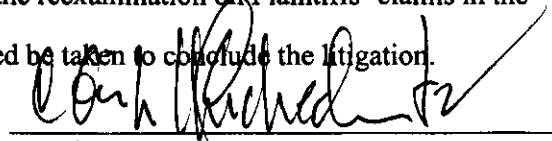
"A"

4. Following completion of the reexamination of the Patent-in-Suit, the parties shall report to the Court on the impact of the reexamination on Plaintiffs' claims in the litigation and what further action need be taken to conclude the litigation.


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SO ORDERED:

Dated:

United States Magistrate Judge
Northern District of Indiana.